Serial No. 29

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CJ Court Case: **WP(C) No. 490/2025**
CM No. 1168/2025

Ranjeet Singh .....Applicant(s)/Petitioner(s)

Through :- Mr. M. P. Sharma, Advocate.

v/s

UT of J&K and others .....Respondent(s)

Through :- Ms. Monika Kohli, Sr. AAG with
Ms. Malvika Gupta, Advocate.

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
03.11.2026

1. The brief facts of the case are that the petitioner's father was a daily rated worker, who expired in the year 2020 and the petitioner sought relief of compassionate appointment. The learned Tribunal disposed of the matter by directing the respondents to consider the case of the petitioner for compassionate appointment while keeping in consideration the judgment of **Farooq Ahmed Ganai vs. State and others**. Upon such consideration, not resulting in favour of the petitioner, he has filed a contempt petition, which has been disposed of on the ground that a compliance report has been filed.

2. Learned counsel for the petitioner submits that once the contempt jurisdiction was invoked, it was the duty of the learned Tribunal to examine the case in the prism of the rights accruing in view of the judgment **Farooq Ahmed (Supra)**, whereas no such consideration has been made. Learned counsel for the petitioner further submits that summary disposal of the contempt petition has prejudiced the rights of the petitioner.

3. Ms. Monika Kohli, learned Senior AAG appearing for the respondents has submitted that due consideration in terms of the Farooq Ahmed judgment and order of the CAT was done and since

nature of the appointment of father of the petitioner was need based, therefore, compassionate appointment was not given to the petitioner.

4. Upon being asked as to why the documents issued by the Authorities, which are part of the record, are showing the petitioner's father as a daily rated employee, Ms. Monika Kohli is unable to satisfy this Court on this count.

5. In the considered opinion of this Court, the matter deserves to be remanded to the learned Tribunal to examine the ramification of its own order passed for consideration of case of the petitioner for his appointment on compassionate basis in light of Farooq Ahmed judgment (Supra). In case the learned Tribunal is satisfied either way, it need to give its observation on merits of the case in the peculiar factual matrix where the right of the compassionate appointment is being examined in light of the judgment of Farooq Ahmed (Supra) is applicable.

6. In light of the aforesaid observations, the impugned order is quashed and set-aside and the matter is remanded to the learned Central Administrative Tribunal to show reasons either ways before arriving at a conclusion as to whether the order of consideration has been properly considered by the respondents.

7. **Disposed of.**

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

(RAJNESH OSWAL)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

JAMMU
03.11.2026
Sahil Padha

Sahil Padha
2026.11.05 16:14
I attest to the accuracy and
integrity of this document